IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

REVIEW PETITION ST.NO.19504 OF 2007

IN

CIVIL REVISION APPLICATION NO.54 OF 2007

Shri Hemraj Khushalchand Bhandari : Applicant/ : Petitioner

versus

Shri Dnyaneshwar Narayanrao Chavan : Respondent.

Mr.G.S.Godbole i/by M/s.N.N.Vaishanava & Co. for the applicant.

Mr.S.M.Kamble with Mr.Rathor Sunil Kumar and for the respondent.

CORAM : A.S.OKA, J.

DATED : 07/09/2007.

P.C.

1. Submission of learned counsel appearing for the Review Petitioner is that the decree for

possession against the Review Petitioner was on two grounds viz.permanent construction and default. It is submitted that though the submissions were made about the illegality of the decree on the ground of permanent construction, the same are not reflected in order dated 26th April 2007. I have heard learned counsel appearing for the Respondent.

2. It is true that the submissions were advanced even on the ground of permanent construction. However, as the decree for possession was being confirmed on the ground of default, the said submissions on the ground of permanent construction have not been considered..

3. Review Petition is disposed of subject to aforesaid clarification. Ad-interim order passed in the Civil Revision Application is extended till the end of this month.

[A.S.OKA, J.]